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MEMORANDUM ON THE PROVISIONS OF S. 1282, (A BILL TO PROMOTE THE NATIONAL SECURITY BY PROVIDING FOR THE COORDINATION OF ALL ELEMENTS OF NATIONAL SECURITY, AND FOR THE REORGANIZATION OF THE MILITARY STRUCTURE OF THE NATION TO CONFORM TO THE REQUIREMENTS OF MODERN WARFARE), DEALING WITH THE SUBJECT OF A CENTRAL INTELLIGENCE AGENCY.

1. Section 104(a): This Section establishes a Central Intelligence Agency but does not give it a specific place in the Governmental structure. S. 758 specifically places the Central Intelligence Agency "under the National Security Council." This latter is preferable, as the Council is designated as the body to which the Agency is responsible. S. 1282, in not clarifying this point, eliminates any direction and control of the activities of the Central Intelligence Agency other than that given by the Director.

This Section also provides that the Director "shall be appointed from civilian life ..." and makes no provision for the possibility of a Director to be appointed from officers on active duty with the armed services. It is felt that this Section should be amended to read substantially in the form of Section 202(a) and (b) of S. 758, with the added provision that the Director may be chosen "from civilian or military life." If this Section of S. 1282 is retained, the salary of the Director should be placed at \$15,000

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2. Section 104(b): This Section abolishes the National Intelligence Authority without transfer of its functions to the National Defense Council created by the bill. The functions of the Authority should be vested in a Council which directs the activities of the Agency. The functions of the National Intelligence Authority are of considerable importance and should not be abolished.

This Section also fails to transfer the functions of the Central Intelligence Group to the Central Intelligence Agency. Only the personnel, property and records of the Group are transferred. As the functions of the Group have been set forth by the President's Executive Order of 22 January 1946, copy of which is attached herewith, they should be specifically transferred to the new Agency in a manner similar to Section 202(c)(2) of S. 758.

3. Section 104(c): This Section should be eliminated. The transfer of the present functions of the Central Intelligence Group would be sufficient and would include the right to hire personnel as required. This Section further contemplates the performance of functions "hereinafter set forth." It is felt that these functions should not be specifically set forth in the bill dealing with the unification of the armed forces, but should be included at a later date in detailed enabling legislation for the Central Intelligence Agency.

4. Section 104(d): It is felt that this Section should be eliminated in its entirety. As stated above, the terms of the unification measure should merely establish the Central Intelligence Agency without

10. If it is felt necessary to include the functions of the Central Intelligence Agency in this legislation, other than by incorporation of the President's Directive by reference, it is thought that a provision should be included substantially in the language of Section 3(c) of the President's Directive, as follows:

"Perform, for the benefit of said intelligence agencies, such services of common concern as the National Security Council determines can be more efficiently accomplished centrally."